

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 92-73910

HENRY B. FRY,

HON. AVERN COHN

Defendant,

_____ /

**ORDER DENYING DEFENDANT'S REQUEST FOR HEARING
RELATING TO GARNISHMENT (Doc. 15)**

I. Introduction

This is a student loan case. In 1971 and 1975, defendant took out student loans to attend Shaw College at Detroit and Wayne State University. Defendant executed promissory notes for each loan. Defendant defaulted by failing to make payments on the loans. Eventually, the government was assigned the right to collect on the loans and filed this action in 1992. Defendant failed to answer the complaint or otherwise appear. A default judgment was entered against him in the principal amount of \$2,099.00 plus prejudgment interest in the amount of \$981.70 and costs of \$87.00, for a total of judgment of \$3,319.29 plus post judgment interest. (Doc. 6). The government then began collection actions which resulted in the issuance of several writs of garnishment. Before the Court is defendant's request for a hearing regarding the garnishment. (Doc. 15). The government filed a response, contending that a hearing is not necessary. (Doc. 17). The Court agrees with the government. Accordingly, defendant's request is DENIED.

II. Background

Since the entry of the default judgment, the government has pursued collection efforts. Most recently, on January 11, 2018, the government issued a writ of garnishment on defendant's wages at Crescent Academy. (Docs. 12, 13).

In his request for hearing, defendant says he has not been in school in 30 years. Defendant, however, has not objected to the validity of the proceedings or the garnishments. Rather, defendant asks for details about the loans. The government has attached the relevant documents to its response, including the complaint, promissory notes, certificate of indebtedness, default judgment, and current balance owed. Now that defendant has all of the relevant documentation relating to the loans, there is no need for a hearing.

The parties are encouraged to discuss payment arrangements during which defendant may provide evidence of his financial condition looking to agree on a reasonable repayment plan.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: 4/25/2018
Detroit, Michigan